

IC 7.1-5

ARTICLE 5. CRIMES AND INFRACTIONS

IC 7.1-5-1

Chapter 1. General Provisions; Public Intoxication

IC 7.1-5-1-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to sections 3 and 6 of this chapter by P.L.213-2001 apply to offenses committed after June 30, 2001. *As added by P.L.220-2011, SEC.176.*

IC 7.1-5-1-1

Prohibition against commercial purposes

Sec. 1. Prohibition Against Commercial Purposes. It is unlawful for a person to manufacture for sale, bottle, sell, barter, import, transport, deliver, furnish, or possess, alcohol or alcoholic beverages, malt, malt syrup, malt extract, liquid malt or wort, for commercial purposes except as authorized in this title. *(Formerly: Acts 1973, P.L.55, SEC.1.)*

IC 7.1-5-1-2

Repealed

(Repealed by Acts 1973, P.L.58, SEC.2.)

IC 7.1-5-1-3

Public intoxication prohibited

Sec. 3. It is a Class B misdemeanor for a person to be in a public place or a place of public resort in a state of intoxication caused by the person's use of alcohol or a controlled substance (as defined in IC 35-48-1-9). *(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by Acts 1978, P.L.2, SEC.702; P.L.213-2001, SEC.2.*

IC 7.1-5-1-4

Repealed

(Repealed by Acts 1973, P.L.156, SEC.2.)

IC 7.1-5-1-5

Repealed

(Repealed by Acts 1973, P.L.156, SEC.2.)

IC 7.1-5-1-6

Intoxication upon common carrier prohibited

Sec. 6. It is a Class B misdemeanor for a person to be, or to become, intoxicated as a result of the person's use of alcohol or a controlled substance (as defined in IC 35-48-1-9) in or upon a vehicle commonly used for the public transportation of passengers, or in or upon a common carrier, or in or about a depot, station, airport, ticket office, waiting room or platform.

(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by Acts 1978, P.L.2, SEC.703; P.L.213-2001, SEC.3.

IC 7.1-5-1-7

Notice of conviction sent to commission

Sec. 7. Notice of Conviction Sent to Commission. A court, upon convicting a permittee for a violation of a provision of this title, shall cause a certified copy of the judgment of conviction to be made and forwarded to the commission.

(Formerly: Acts 1973, P.L.55, SEC.1.)

IC 7.1-5-1-8

General penalty provision

Sec. 8. General Penalty Provision. A person who violates a provision of this title for which no other penalty is provided commits a Class B misdemeanor.

(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by Acts 1978, P.L.2, SEC.704.

IC 7.1-5-1-9

Felony penalty

Sec. 9. Felony Penalty. A person who knowingly violates IC 7.1-5-4-3, 7.1-5-4-6, or 7.1-5-6-4, commits a Class D felony.

(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by Acts 1978, P.L.2, SEC.705.

IC 7.1-5-1-9.5

Penalties for illegal shipments of alcoholic beverages

Sec. 9.5. (a) An in state or an out of state vintner, distiller, brewer, rectifier, or importer that:

- (1) holds a basic permit from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives; and
- (2) knowingly violates IC 7.1-5-11-1.5;

commits a Class A misdemeanor.

(b) A person who:

- (1) is not described in subsection (a); and
- (2) knowingly violates IC 7.1-5-11-1.5;

commits a Class D felony.

(c) If the chairman of the alcohol and tobacco commission or the attorney general determines that a vintner, distiller, brewer, rectifier, or importer that holds a basic permit from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives has made an illegal shipment of an alcoholic beverage to consumers in Indiana, the chairman shall:

- (1) notify the federal Bureau of Alcohol, Tobacco, Firearms and Explosives in writing and by certified mail of the official determination that state law has been violated; and
- (2) request the federal bureau to take appropriate action.

As added by P.L.121-1998, SEC.1. Amended by P.L.204-2001, SEC.49; P.L.1-2006, SEC.150.

IC 7.1-5-1-10

Repealed

(Repealed by Acts 1978, P.L.2, SEC.727.)

IC 7.1-5-1-11

Repealed

(Repealed by Acts 1978, P.L.2, SEC.727.)

IC 7.1-5-1-12

Violation of commission's order

Sec. 12. Violation of Commission's Order. A person who recklessly imports, transports, receives, purchases, sells, distributes, delivers, or possesses an alcoholic beverage in violation of an order of the commission entered pursuant to IC 7.1-2-7, commits a Class B misdemeanor.

(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by Acts 1978, P.L.2, SEC.706.